

Assembly Joint Resolution No. 15

RESOLUTION CHAPTER 60

Assembly Joint Resolution No. 15—Relative to the Uniting American Families Act.

[Filed with Secretary of State July 7, 2010.]

LEGISLATIVE COUNSEL'S DIGEST

AJR 15, De Leon. Uniting American Families Act.

This measure would urge the Congress of the United States to include the Reuniting Families Act and the Uniting American Families Act in comprehensive immigration reform or to pass, and President Obama to sign, the Uniting American Families Act as stand-alone legislation and support the removal of legal barriers to immigration by permanent same-sex partners.

WHEREAS, Every person in the United States is entitled to equal protection under the law; and

WHEREAS, The principle of family unification is an unassailable characteristic of our immigration system under which legal permanent residents and United States citizens should be able to sponsor their loved ones for immigration status; and

WHEREAS, Federal law does not currently recognize permanent same-sex partners as family members for immigration purposes, including same-sex partners that are married or recognized as married in various states; and

WHEREAS, This results in thousands of United States citizens being forced into exile to be with foreign born partners, causing unnecessary hardship, separation from family members and careers, and loss of valuable skills and resources for our country; and

WHEREAS, The Uniting American Families Act (H.R. 1024/S. 424) has been introduced in Congress by New York Representative Jerrold Nadler and Vermont Senator Patrick Leahy with 123 cosponsors in the United States House of Representatives and 23 cosponsors in the United States Senate to amend the Immigration and Nationality Act and allow United States citizens and legal permanent residents to sponsor same-sex partners for immigration, and California Representative Mike Honda has introduced the Reuniting Families Act (H.R. 2709), a broad family immigration bill which will overcome many barriers to family reunification in current immigration law and includes the Uniting American Families Act; and

WHEREAS, The Uniting American Families Act defines “permanent partner” as an individual 18 years of age or older who is in a committed, intimate relationship with another individual 18 years of age or older in which both parties intend a lifelong commitment; is financially interdependent with that other individual; is not married to or in a permanent

partnership with anyone other than that other individual; is unable to contract with that other individual a marriage cognizable under the Immigration and Nationality Act; and is not a first-, second-, or third-degree blood relation of that other individual; and

WHEREAS, Although there are a relatively low number of binational same-sex partners, they are severely harmed by discrimination and a lack of protection under current immigration law; and

WHEREAS, Data compiled over two decades documents that there has not been a single case of fraud perpetrated by a person or partnership in any domestic partners benefit plan in the United States since those benefit plans began in 1982; and

WHEREAS, The United States is behind other democracies in extending fair treatment in immigration policies to same-sex partners, and the Uniting American Families Act of 2009 would bring United States immigration law in line with 19 other countries that currently recognize same-sex partnerships for immigration purposes: Australia, Belgium, Brazil, Canada, Denmark, Finland, France, Germany, Iceland, Israel, the Netherlands, New Zealand, Norway, Portugal, South Africa, Spain, Sweden, Switzerland, and the United Kingdom; and

WHEREAS, The Uniting American Families Act is an appropriate next step towards establishing equality in immigration standards for same-sex partners; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature and the State of California urge the United States Congress to include the Reuniting Families Act and the Uniting American Families Act in comprehensive immigration reform or to pass, and President Barack Obama to sign, the Uniting American Families Act as stand-alone legislation at the earliest possible date and support the removal of legal barriers to immigration by permanent same-sex partners; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.